
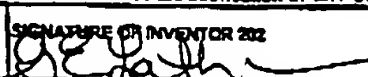
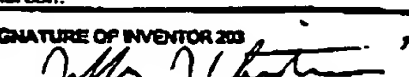


DEC-11-1998 11:01

'T*BSC SAN JOSE

408 895 3501 P.02/03

COMBINED DECLARATION FOR: NT APPLICATION AND POWER OF ATTORNEY		(CONTINUED)		ATTORNEY'S DOCKET NUMBER 018944-00072002	
I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT International application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:					
PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT UNDER 35 U.S.C. 120:					
U.S. APPLICATIONS			STATUS (Check one)		
U.S. APPLICATION NUMBER	U.S. FILING DATE	PATENTED	PENDING	ABANDONED	
80808,408	November 9, 1998			X	
08548,315	November 1, 1998			X	
POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (List name and registration number) James F. Heston, Reg. No. 29,719 James M. Heslin, Reg. No. 29,341 Mark D. Barrish, Reg. No. 36,443					
Send Correspondence to: James M. Heslin Townsend and Townsend and Crew LLP Two Embarcadero Center, 8th Floor San Francisco, CA 94111-3834 Telephone: (415) 576-0200 Fax: (415) 576-0300			Direct Telephone Calls to: (name and telephone number) Name: James M. Heslin Registration No. 29,341 Telephone: (650) 325-3400		
201	FULL NAME OF INVENTOR	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME	
		Slavice	George	M.	
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP	
	Portola Valley	California	United States		
	POST OFFICE ADDRESS	CITY	STATE & ZIP CODE/COUNTRY		
	1189 Westridge Drive	Portola Valley	California 94028 USA		
202	FULL NAME OF INVENTOR	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME	
		Lathbury	Georel		
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP	
	Fremont	California	United States		
	POST OFFICE ADDRESS	CITY	STATE & ZIP CODE/COUNTRY		
	4875 Oscar Street	Fremont	California 94538 USA		
203	FULL NAME OF INVENTOR	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME	
		Christian	Jeffrey	J.	
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP	
	San Jose	California	United States		
	POST OFFICE ADDRESS	CITY	STATE & ZIP CODE/COUNTRY		
	608 Curtis Drive	San Jose	California 95123 USA		
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.					
SIGNATURE OF INVENTOR 201		SIGNATURE OF INVENTOR 202		SIGNATURE OF INVENTOR 203	
					
DATE December 11, 1998		DATE December 11, 1998		DATE December 11, 1998	

1942	1943	1944	1945	1946	1947	1948	1949	1950	1951	1952	1953	1954	1955	1956	1957	1958	1959	1960	1961	1962	1963	1964	1965	1966	1967	1968	1969	1970	1971	1972	1973	1974	1975	1976	1977	1978	1979	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050	2051	2052	2053	2054	2055	2056	2057	2058	2059	2060	2061	2062	2063	2064	2065	2066	2067	2068	2069	2070	2071	2072	2073	2074	2075	2076	2077	2078	2079	2080	2081	2082	2083	2084	2085	2086	2087	2088	2089	2090	2091	2092	2093	2094	2095	2096	2097	2098	2099	2100	2101	2102	2103	2104	2105	2106	2107	2108	2109	2110	2111	2112	2113	2114	2115	2116	2117	2118	2119	2120	2121	2122	2123	2124	2125	2126	2127	2128	2129	2130	2131	2132	2133	2134	2135	2136	2137	2138	2139	2140	2141	2142	2143	2144	2145	2146	2147	2148	2149	2150	2151	2152	2153	2154	2155	2156	2157	2158	2159	2160	2161	2162	2163	2164	2165	2166	2167	2168	2169	2170	2171	2172	2173	2174	2175	2176	2177	2178	2179	2180	2181	2182	2183	2184	2185	2186	2187	2188	2189	2190	2191	2192	2193	2194	2195	2196	2197	2198	2199	2200	2201	2202	2203	2204	2205	2206	2207	2208	2209	2210	2211	2212	2213	2214	2215	2216	2217	2218	2219	2220	2221	2222	2223	2224	2225	2226	2227	2228	2229	2230	2231	2232	2233	2234	2235	2236	2237	2238	2239	2240	2241	2242	2243	2244	2245	2246	2247	2248	2249	2250	2251	2252	2253	2254	2255	2256	2257	2258	2259	2260	2261	2262	2263	2264	2265	2266	2267	2268	2269	2270	2271	2272	2273	2274	2275	2276	2277	2278	2279	2280	2281	2282	2283	2284	2285	2286	2287	2288	2289	2290	2291	2292	2293	2294	2295	2296	2297	2298	2299	2300	2301	2302	2303	2304	2305	2306	2307	2308	2309	2310	2311	2312	2313	2314	2315	2316	2317	2318	2319	2320	2321	2322	2323	2324	2325	2326	2327	2328	2329	2330	2331	2332	2333	2334	2335	2336	2337	2338	2339	2340	2341	2342	2343	2344	2345	2346	2347	2348	2349	2350</
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SCHEDULE A

Docket#	Filing Dt.	Issue Dt.	Real/Frame	Record Dt.	Status
FEM0002	1997/08/05	/ /	9019871 -	1998/02/23	PENDING
FEM0006	1996/07/02	/ /	913472 -	1998/05/11	PENDING
FEM0007	1997/03/20	/ /	8793126 -	1997/09/17	PENDING
FEM0009	1993/10/13	1993/10/13	7991938 -	1996/03/25	ISSUED
FEM0011	1995/09/15	1995/10/10	7991938 -	1996/03/25	ISSUED
FEM0018	1996/10/31	/ /	9729061 -	1998/12/14	PENDING
FEM0019	1998/05/28	/ /	0083670 -	1998/12/14	PENDING
FEM0021	1997/08/15	/ /	8673630 -	1997/08/15	PENDING
FEM0022	1996/01/26	1999/01/26	7958492 -	1996/04/22	ISSUED
FEM0030	1997/06/03	/ /	8926672 -	1997/12/22	PENDING
FEM0032	1997/03/31	1999/05/25	8721220 -	1997/09/15	ISSUED
FEM0033	1998/04/21	/ /	9563497 -	1998/07/23	PENDING
FEM0034	1997/08/05	1999/06/29	9019882 -	1998/02/23	ISSUED
FEM0039	1998/09/10	/ /	9538904 -	1998/10/22	PENDING
FEM0029	1996/11/13	1998/04/21	8332623 -	1997/01/13	ISSUED
FEM0040	1999/04/05	/ /	9193472 -	1998/05/11	PENDING
FEM0043	1999/08/19	/ /	0083670 -	1998/12/14	PENDING
FEM0044	1999/12/03	/ /	9729061 -	1999/12/14	PENDING
FEM0045	1999/12/09	/ /	8673630 -	1997/08/15	PENDING
FEM0046	1999/12/09	/ /	8673630 -	1997/08/15	PENDING
FEM0047	1999/12/09	/ /	8673630 -	1997/08/15	PENDING
FEM0048	1999/12/09	/ /	8673630 -	1997/08/15	PENDING
FEM0049	1999/12/09	/ /	8673630 -	1997/08/15	PENDING

Total number of cases..... 23

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SCHEDULE B

SPBC0058-02 Cases Assigned to FEMRI, Inc. to be recorded as ETHICON, INC. Page: 1

Docket#	Filing Dt.	Issue Dt.	Real/Frame	Record Dt.	Status
FEM0005	1996/11/06	1999/11/09	-	/ /	ISSUED
FEM0023	1997/11/21	/ /	-	/ /	PENDING
FEM0029	1997/10/30	/ /	-	/ /	PENDING
FEM0023	1996/10/29	1998/03/24	-	/ /	ISSUED
Total number of cases.....					4

5,979,453
5,741,287
5,730,752

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CERTIFICATE OF MERGER.

OF

FEMRX, INC.

and

GYNECARE, INC.

INTO

ETHICON, INC.

FILED

DEC 23 1999

State Treasurer

Pursuant to the provisions of Section 14A:10-7 of the New Jersey General Corporation Law, the undersigned corporations hereby execute the following Certificate of Merger.

1. The name and jurisdiction of each constituent corporation is:

Name	Jurisdiction
Ethicon, Inc.	New Jersey
FemRx, Inc.	Delaware
Gynecare, Inc.	Delaware

2. The name of the surviving corporation is Ethicon, Inc., a New Jersey corporation.

3. The Agreement and Plan of Merger pursuant to which the merger was effected is attached hereto as Exhibit A (the "Plan of Merger").

4. (a) The following information is set forth for each corporation whose shareholders are entitled to vote:

Corporation	Number of Shares Entitled to Vote	Number of Votes For the Plan of Merger	Number of Votes Against the Plan of Merger	Date of Shareholder Approval for the Plan of Merger
FemRx, Inc.	1	1	0	12/9/99
Gynecare, Inc.	100	100	0	12/9/99

(b) The directors of Ethicon, Inc. approved the Plan of Merger on December 9, 1999. No vote of the shareholders of Ethicon, Inc. was required because of the applicability of Section 14A:10-3(4) of the New Jersey General Corporation Law.

5. The merger shall be effective on January 3, 2000.

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6. The laws of Delaware, the state under which FemRx, Inc. and Gynecare, Inc. are organized, permit the merger and the applicable provisions of Delaware have been, or upon compliance with filing and recording requirements will have been, complied with.

IN WITNESS WHEREOF, each of the undersigned corporations has caused this Certificate of Merger to be executed by its proper officer on its behalf on this 10th day of December, 1999.


ETHICON, INC.


By: Clifford E. Holland
Title: President

FEMRX, INC.


By: Clifford E. Holland
Title: President

GYNECARE, INC.


By: Clifford E. Holland
Title: President

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EXHIBIT A

AGREEMENT AND PLAN OF MERGER

THIS AGREEMENT AND PLAN OF MERGER, dated as of this 10 day of December, 1999 is entered into pursuant to Section 252 of the General Corporation Law of the State of Delaware and Section 14A:10-7 of the New Jersey General Corporation Law and is among Ethicon, Inc., a New Jersey corporation and the surviving corporation ("Ethicon"), Gynecare Inc., a Delaware corporation ("Gynecare") and FemRx, Inc., a Delaware corporation ("FemRx").

WHEREAS, Gynecare and FemRx each desire to merge with and into Ethicon and Ethicon desires to merge with and into itself each of Gynecare and FemRx;

NOW, THEREFORE, the parties to this Agreement, in consideration of the mutual covenants, agreements and provisions hereinafter contained, do hereby prescribe the terms and conditions of said merger and mode of carrying the same into effect as follows:

FIRST: Ethicon hereby merges into itself each of Gynecare and FemRx and each of FemRx and Gynecare shall be and hereby is merged with and into Ethicon.

SECOND: The Certificate of Incorporation of Ethicon as heretofore amended and as in effect on the date of the effective time of the merger shall continue in full force and effect as the Certificate of Incorporation of the corporation surviving this merger. No amendments to the Certificate of Incorporation of Ethicon shall be effected as a result of the merger.

THIRD: All of the shares of common stock of Ethicon, Gynecare and FemRX are owned by Ethicon Endo-Surgery, an Ohio corporation. At the effective time of the merger, all of the issued shares of Gynecare and FemRx shall be canceled and no shares of Ethicon shall be issued in exchange therefor.

FOURTH: The terms and conditions of the merger are as follows:

(a) The by-laws of Ethicon as they exist on the effective date of the merger shall be and remain the by-laws of the corporation surviving this merger until the same shall be altered, amended and repealed as therein provided.

(b) The directors and officers of Ethicon shall continue in office until the next annual meeting of stockholders and until their successors shall have been elected and qualified.

(c) This merger shall become effective on January 3, 2000.

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(d) Upon the merger becoming effective, all property, rights, privileges and other asset of every kind and description of Gynecare and FemRx shall be transferred to, vested in and devolve upon Ethicon without further act or deed.

FIFTH: Ethicon may be served with process in the State of Delaware in any processing for enforcement of any obligation of Gynecare or FemRx as well as for enforcement of any obligations of Ethicon arising from the merger provided for in this Agreement. Ethicon does hereby irrevocably appoint the Secretary of State of Delaware as its agent to accept service of process in any such suit or other proceedings. The address to which a copy of such process shall be mailed by the Secretary of State of Delaware is U.S. Route #22, Somerville, New Jersey 08876 until Ethicon shall have hereafter designated in writing to the Secretary of State of Delaware a different address for such purpose. Service of such process may be made by personally delivering to and leaving with the Secretary of State of Delaware duplicate copies of such process, one of which copies the Secretary of State of Delaware shall forthwith send by registered mail to Ethicon at the above address.

IN WITNESS WHEREOF, each party to this Agreement, pursuant to the approval and authority given by resolution adopted by their respective Board of Directors, has caused this Agreement to be executed by its proper officer as the respective act, deed and agreement of such party on this 10 day of December, 1999.

GYNECARE, INC.


Name: Clifford E. Holland
Title: President

FEMRX, INC.


Name: Clifford E. Holland
Title: President

ETHICON, INC.


Name: Clifford E. Holland
Title: President

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UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

MO2013161
PTV 8437

JUNE 27, 2000

PTAS

JOHNSON & JOHNSON
AUDLEY A. CIAMPORCERO, JR., ESQ.
ONE JOHNSON & JOHNSON PLAZA
NEW BRUNSWICK, NJ 08933-7003

RECEIVED

101324025A*

JUL 5 2000

U & J PAT. DKT. SECTION

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 03/20/2000

REEL/FRAME: 010731/0317
NUMBER OF PAGES: 7

BRIEF: MERGER (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:
ETHICON, INC.

DOC DATE: 12/10/1999

ASSIGNEE:
ETHICON, INC.
ONE JOHNSON & JOHNSON PLAZA
NEW BRUNSWICK, NEW JERSEY 08903

SERIAL NUMBER: 08906358 FEM-24
PATENT NUMBER: 6039748

FILING DATE: 08/05/1997
ISSUE DATE: 03/21/2000

SERIAL NUMBER: 08678412 FEM-64
PATENT NUMBER:

FILING DATE: 07/02/1996
ISSUE DATE:

SERIAL NUMBER: 08822901 FEM-74
PATENT NUMBER:

FILING DATE: 03/20/1997
ISSUE DATE:

SERIAL NUMBER: 08136426
PATENT NUMBER: 5456689 FEM-94

FILING DATE: 10/13/1993
ISSUE DATE: 10/10/1995

SERIAL NUMBER: 08529144	FEM-11 ✓	FILING DATE: 09/15/1995
PATENT NUMBER: 5531892		ISSUE DATE: 07/02/1996
SERIAL NUMBER: 09068055	FEM-18 ✓	FILING DATE: 12/14/1998
PATENT NUMBER:		ISSUE DATE:
SERIAL NUMBER: 09087113	FEM-19 ✓	FILING DATE: 05/28/1998
PATENT NUMBER:		ISSUE DATE:
SERIAL NUMBER: 08912259	FEM-21 ✓	FILING DATE: 08/15/1997
PATENT NUMBER: 6032673		ISSUE DATE: 03/07/2000
SERIAL NUMBER: 08592124	FEM-22 ✓	FILING DATE: 01/26/1996
PATENT NUMBER: 5863294		ISSUE DATE: 01/26/1999
SERIAL NUMBER: 08868429	FEM-30 ✓	FILING DATE: 06/03/1997
PATENT NUMBER:		ISSUE DATE:
SERIAL NUMBER: 08829377	FEM-32 ✓	FILING DATE: 03/31/1997
PATENT NUMBER: 5906615		ISSUE DATE: 05/25/1999
SERIAL NUMBER: 09063938	FEM-33 ✓	FILING DATE: 04/21/1998
PATENT NUMBER:		ISSUE DATE:
SERIAL NUMBER: 08906308	FEM-34 ✓	FILING DATE: 08/05/1997
PATENT NUMBER: 5916198		ISSUE DATE: 06/29/1999
SERIAL NUMBER: 09151015	FEM-39 ✓	FILING DATE: 09/10/1998
PATENT NUMBER: 6086584		ISSUE DATE: 07/11/2000
SERIAL NUMBER: 08746542	FEM-29 ✓	FILING DATE: 11/13/1996
PATENT NUMBER: 5741287		ISSUE DATE: 04/21/1998
SERIAL NUMBER: 09286396	FEM-40 ✓	FILING DATE: 04/05/1999
PATENT NUMBER:		ISSUE DATE:
SERIAL NUMBER: 09377377	FEM-43 ✓	FILING DATE: 08/19/1999
PATENT NUMBER:		ISSUE DATE:
SERIAL NUMBER: 09454878	FEM-44 ✓	FILING DATE: 12/03/1999
PATENT NUMBER:		ISSUE DATE:
SERIAL NUMBER: 09457657	FEM-45 ✓	FILING DATE: 12/09/1999
PATENT NUMBER:		ISSUE DATE:
SERIAL NUMBER: 09456696	FEM-46 ✓	FILING DATE: 12/09/1999
PATENT NUMBER:		ISSUE DATE:
SERIAL NUMBER: 09457799	FEM-47 ✓	FILING DATE: 12/09/1999
PATENT NUMBER:		ISSUE DATE:
SERIAL NUMBER: 09456687	FEM-48 ✓	FILING DATE: 12/09/1999
PATENT NUMBER:		ISSUE DATE:

010731/0317 PAGE 3

SERIAL NUMBER: 09457807
PATENT NUMBER:

Fem-49 ✓

FILING DATE: 12/09/1999
ISSUE DATE:

SERIAL NUMBER: 08744610
PATENT NUMBER: 5979453

Fem-5 ✓

FILING DATE: 11/06/1996
ISSUE DATE: 11/09/1999

SERIAL NUMBER: 08746541
PATENT NUMBER: 5741287

Fem-29 ✓

FILING DATE: 11/13/1996
ISSUE DATE: 04/21/1998

SERIAL NUMBER: 08738643
PATENT NUMBER: 5730752

Fem-23 ✓

FILING DATE: 10/29/1996
ISSUE DATE: 03/24/1998

KIMBERLY WHITE, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

RECORD

04-18-2000

T

Commissioner of Patent and Trademark



101324025

Please record the attached original doc.

<p>1. Name of conveying party(ies):</p> <p>CASES TO BE RECORDED IN THE NAME OF ETHICON, INC.</p> <p>Additional name(s) of conveying party(ies) attached?</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>2. Name and address of receiving party(ies):</p> <p>Name: ETHICON, INC.</p> <p>Street Address: ONE JOHNSON & JOHNSON PLAZA</p> <p>City: NEW BRUNSWICK State: NJ Zip: 08903</p> <p>Additional name(s) & address(es) attached?</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
<p>3. Nature of conveyance:</p> <p><input type="checkbox"/> Assignment <input checked="" type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other _____</p> <p>Execution Date: Dec. 10, 1999 (Merger-4pp)</p>	
<p>4. Application number(s) or patent number(s): See Schedule A (1 pp) and Schedule B (1 p)</p> <p>If this document is being filed together with a new application, the execution date of the application is: N/A</p> <p>A. Patent Application No.(s) B. Patent No.(s)</p> <p>Additional numbers attached? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>5. Name and address of party to whom correspondence concerning document should be mailed:</p> <p>Audley A. Ciamporcero, Jr., Esq. Chief Patent Counsel Johnson & Johnson One Johnson & Johnson Plaza New Brunswick, NJ 08933-7003</p>	<p>6. Total number of applications & patents involved: 27</p> <p>7. Total fee (37 CFR 3.41) \$1,080.00</p> <p><input checked="" type="checkbox"/> Authorized to be charged to Deposit Account</p> <p>8. Deposit Account Number: 10-0750/VEK/FEMRX</p>
<p>9. Statement and signature</p> <p><i>To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.</i></p> <p>VERNE KREGER, REG. NO. 35,231 <i>Verne E. Kreger</i> 3/16/2000</p> <p>Name of Person Signing Signature Date</p> <p>Total number of pages including cover sheet, attachments, and document: 7</p>	

Mail documents to be recorded with required cover sheet information to:

Box Assignments
Commissioner of Patent and Trademarks
Washington, D.C. 20231

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04/18/2000 TTON11 00000147 100750 08906358
01 FC:581 1080.00 CH